

APPEAL NO. 040839
FILED JUNE 2, 2004

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on March 15, 2004. The hearing officer determined that the appellant (claimant) sustained a compensable lumbar and cervical spine injury on _____; that the claimant's _____, compensable injury does not include depression; and that the claimant did not have disability as a result of the _____, compensable injury. The claimant appealed the hearing officer's determinations regarding depression and disability on sufficiency of the evidence grounds. The respondent (carrier) responded, urging affirmance. The hearing officer's determination that the claimant sustained a compensable lumbar and cervical spine injury has not been appealed and has therefore become final. Section 410.169.

DECISION

Affirmed.

We have reviewed the complained-of determinations and conclude that they involved factual questions for the hearing officer to resolve. The hearing officer reviewed the record and decided what facts were established. We conclude that the hearing officer's determinations are supported by the record and are not so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

We affirm the hearing officer's decision and order.

The true corporate name of the insurance carrier is **AMERICAN ZURICH INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**LEO F. MALO
ZURICH NORTH AMERICA
12222 MERIT DRIVE, SUITE 700
DALLAS, TEXAS 75251.**

Daniel R. Barry
Appeals Judge

CONCUR:

Chris Cowan
Appeals Judge

Veronica L. Ruberto
Appeals Judge